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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/873,967	06/04/2001	Weidong Kou	CA920000024US1	6661

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EXAMINER

NALVEN, ANDREW L

ART UNIT PAPER NUMBER

2134

DATE MAILED: 08/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/873,967

Applicant(s)

KOU, WEIDONG

Examiner

Andrew L. Nalven

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 5/30/2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 9-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 9-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 01 June 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1 and 9-31 are pending.

Response to Arguments

2. Applicant's arguments filed 5/30/2006 have been fully considered but they are not persuasive.
3. Applicant has argued that Katz does not teach an e-commerce system directed to end users. Examiner respectfully disagrees. Katz teaches an e-commerce system (Katz, column 9 lines 17-19) by teaching the purchasing of digital content. Further, the purchasing is directed towards mobile playback devices which belong to end users (Katz, column 9 lines 14-20). However, for the purposes of expediting prosecution Examiner asserts that Barnes also teaches an e-commerce system directed to end users (Barnes, column 6 lines 6-12).
4. Applicant further argues that the combination of Barnes and Katz is improper because it would be improper to impart Barnes' pricing scheme on Katz because Katz is devoid of any teaching relating to pricing information. Examiner respectfully disagrees with this assertion. The combination requires that one reference provide motivation for the combination. This test is met because Barnes provides motivation for the combination in that it offers the advantage of reducing costs by allowing end users to directly interact with suppliers rather than through purchasing agents (Barnes, column 6 lines 6-12). Further, Examiner notes that Katz does providing teaching regarding

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purchasing and this inherently teaches that some form of pricing is present (Katz, column 9 lines 17-19).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 9-31 are rejected under 35 U.S.C. 103(a) as being unpatentable over Katz et al US Patent No. 5,926,624 in view of Barnes et al US Patent No. 5,970,475.

7. With regards to claims 9-11, 20-21, 26-27, Katz teaches a storage subsystem containing definitions of customer groups, customer user information, which group or groups to which each customer belongs (Katz, column 13 lines 11-24, group IDs, player IDs, tables), information item definitions including which customer group or groups with which each information item is associated (Katz, column 12 lines 39-43), a set of group source keys (Katz, column 13 line 65 – column 14 line 8, private group identifier/scrambling map), each group source key being associated with a different one of the customer groups (Katz, column 12 lines 56-66), a set of group member keys (Katz, column 12 lines 45-49, group ID public portion), each group member key being associated with a different one of said group source keys (Katz, column 12 lines 45-49, group ID has private and public portion), an encryption subsystem for encrypting information items associated with a group using the group source key associated with

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the same group (Katz, column 13 line 65 – column 14 line 8, encrypts with scrambling map), and an authentication subsystem for allowing a customer access to a group member key once the customer has been authenticated as a member of the group with which the group member key is associated (Katz, column 11 lines 27-31, changes to the ID list are similar to downloading updates, column 11 lines 32-38, column 11 lines 19-27) thereby enabling the customer to use the group member key to decrypt item information previous encrypted using the group source key (Katz, column 11 lines 45-48). Examiner maintains that Katz teaches an e-commerce system (Katz, column 9 lines 17-19) directed towards end users (Katz, column 9 lines 14-15). However, for the purposes of expediting prosecution Examiner asserts that Barnes also teaches an e-commerce system directed to end users (Barnes, column 6 lines 6-12). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Barnes' method of providing e-commerce to end users with Katz' digital information library and delivery system because it offers the advantage of reducing costs by allowing end users to directly interact with suppliers rather than through purchasing agents (Barnes, column 6 lines 6-12).

8. With regards to claims 12, 16, 22, and 28, Katz as modified fails to teach the information items including pricing information. Barnes teaches the information items including pricing information (Barnes, column 19 lines 45-58, pricing information specified to buyer). At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to utilize Barnes' method of including price information with Katz's digital information library because it offers the advantage of

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making available pricing information to a customer to thereby allow for the ordering of goods by the customer (Barnes' column 4 lines 5-26).

9. With regards to claims 13, 18, 23, and 29, Katz as modified teaches decrypting encrypted group pricing using said public key when pricing information is requested by an authenticated member of said authorized group (Barnes, column 13 lines 18-35).

10. With regards to claims 14, 24, and 30, Katz as modified teaches storing identification of said members of said authorized group (Katz, column 13 lines 11-24, Barnes, column 14 lines 33-35).

11. With regards to claims 15, 17, 25, and 31, Katz as modified teaches encrypting said group pricing of an authorized group by using said private key of said authorized group (Barnes, column 13 lines 18-35) and providing access to said encrypted group pricing of said encrypted group pricing responsive to a user providing identification and authentication data for confirming authorization of said member to access said encrypted group pricing (Barnes, column 14 lines 19-22).

12. With regards to claim 19, Katz as modified teaches an input screen having an input field for said user to enter a query including member identification and authentication data to be sent to said catalog by said communication means to request access to said catalog and a user presentation screen to display information including decrypted pricing of catalog items available to said user after access to said catalog has been communicated to said communication means (Barnes, Figure 2 Item 26).

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew L. Nalven whose telephone number is 571 272 3839 or 571 272 3839 after October 26, 2004. The examiner can normally be reached on Monday - Thursday 8-6, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jacques Louis-Jacques can be reached on 571 272 6962. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andrew Nalven

Jacques Louis Jacques
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